

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problems Mailbox.**



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John A. Zebala
Application No. : 09/322,815
Filed : June 14, 1999
For : POROUS COATINGS BEARING LIGAND ARRAYS AND
USE THEREOF

Docket No. : 880088.402

Date : September 13, 1999

Box Missng Parts
Assistant Commissioner for Patents
Washington, DC 20231

GENERAL AUTHORIZATION UNDER 37 C.F.R. § 1.136(a)(3)

Sir:

With respect to the above-identified application, the Assistant Commissioner is authorized to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. § 1.136(a)(3) for its timely submission as incorporating a petition therefor for the appropriate length of time. The Assistant Commissioner is also authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-1090.

Respectfully submitted,

John A. Zebala

SEED and BERRY LLP

David J. Maki

Registration No. 31,392

ATK:jab

SEED and BERRY LLP
6300 Columbia Center
701 Fifth Avenue
Seattle, Washington 98104-7092
(206) 622-4900
FAX: (206) 682-6031

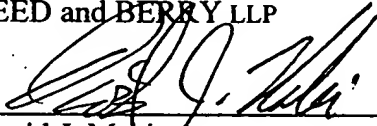
\\main\users\annk\880088\402\gen auth.doc

The Assistant Commissioner is hereby authorized to charge any additional filing fees or to credit any overpayment to Deposit Account No. 19-1090. A duplicate copy of this response is enclosed.

Respectfully submitted,

John A. Zebala

SEED and BERRY LLP



David J. Maki

Registration No. 31,392

ATK:jab

Enclosures:

Postcard

Check

Copy of this Response

Declaration and Power of Attorney

Verified Statement Claiming Small Entity Status

Copy of Form PTO-1533

General Authorization Under 37 C.F.R. § 1.136(a)(3)

6300 Columbia Center

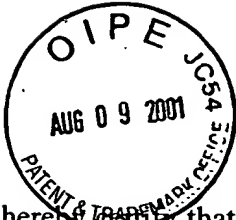
701 Fifth Avenue

Seattle, Washington 98104-7092

(206) 622-4900

Fax: (206) 682-6031

u:\annk\880088\402\resp to mp.small entity.doc



1

PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231.

9-13-99
Date

Jennifer Becker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John A. Zebala
Application No. : 09/322,815
Filed : June 14, 1999
For : POROUS COATINGS BEARING LIGAND ARRAYS AND
USE THEREOF

Docket No. : 880088.402

Date : September 13, 1999

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

RECEIVE

AUG 14 2001

OFFICE OF PETITION

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

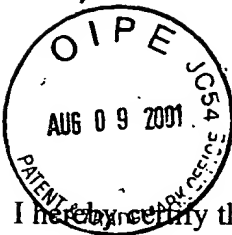
In response to the Notice to File Missing Parts dated July 13, 1999, please find enclosed a Declaration and Power of Attorney, Form PTO-1533, and a Verified Statement Claiming Small Entity Status for the above-identified application.

Also enclosed is a General Authorization under 37 C.F.R. § 1.136(a)(3).

Also enclosed is a check in the amount of \$2,087.00 for the requisite fees. The fees have been calculated in accordance with applicant's small entity status.

The fees have been calculated as follows:

Basic Fee	\$ 380.00
Total Claims (162, 142 extra)	1278.00
Independent Claims (9, 6 extra)	234.00
Multiple Dependent Claims Surcharge	130.00
Missing Parts Surcharge	65.00
Total	\$ 2087.00



08-13-01

EXPRESS MAIL NO. EL897868323US

DAC/1773/10

PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to Box DAC, Commissioner for Patents, Washington, DC 20231.

August 9, 2001
Date

Lola H. Kemp
Lola H. Kemp

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John A. Zebala
Application No. : 09/332,815
Filed : June 14, 1999
For : POROUS COATINGS BEARING LIGAND ARRAYS AND USE
THEREOF

Art Unit : 1773
Docket No. : 880088.402
Date : August 9, 2001

Box DAC
Commissioner for Patents
Washington, DC 20231

RECEIVED
AUG 14 2001
OFFICE OF PETITIONS

RESPONSE TO NOTICE OF ABANDONMENT

Commissioner for Patents:

The Notice of Abandonment dated August 18, 2000 indicates that the reason for abandonment was the failure to reply to the Notice to File Missing Parts mailed on July 13, 1999. However, Applicant responded to the Notice to File Missing Parts in a timely manner on September 13, 1999. Attached hereto is a complete copy of the Response to Notice to File Missing Parts submitted on September 13, 1999, along with a photocopy of the postcard we received from the Patent and Trademark Office (stamped "Received SEP 17, 1999"), as well as copy of the cancelled check for \$2,087 that accompanied the Response.

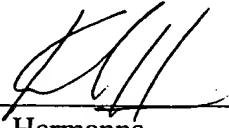
In light of the attached documents, Applicant respectfully submits that the Notice of Abandonment was issued in error and requests that the same be retracted.

In the alternative, Applicant submits herewith a Petition for Revival under 37 CFR 1.137(b). Applicant believes that, because the error rests with the Patent and Trademark Office, no fee is warranted. However, if the Patent and Trademark Office does not agree, the Commissioner is hereby authorized to charge the petition fee to our Deposit Account No. 19-1090. A copy of this Response is enclosed.

Respectfully submitted,

John A. Zebala

SEED Intellectual Property Law Group PLLC



Karl R. Hermanns

Registration No. 33,507

KRH:lhk

Enclosure:

Copy of Response to Notice to File Missing Parts, filed September 13, 1999
Copy of Postcard stamped "Received SEP 17 1999" by the PTO
Copy of cancelled check no. 82127

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031

C:\880088.402\203648_1.DOC

**ABANDONMENT/TERMINATION
LETTER**



OC00000005334516



EXPRESS MAIL NO. EL897868323US

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/332,815	06/14/1999	JOHN A. ZEBALA	880088.402

DAVID J MAKI
SEED AND BERRY
6300 COLUMBIA CENTER
701 FIFTH AVENUE
SEATTLE, WA 981047092

RECEIVED

AUG 14 2001

OFFICE OF PETITIONS

Date Mailed: 08/18/2000

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 07/13/1999.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

2087

SEED AND BERRY L.L.P.
(206) 622-4900
6300 COLUMBIA CENTER
SEATTLE, WA 98104-7092

Docket No. 880088.402

82127

19-2/1250

DATE September 13, 1999

PAY TO THE ORDER OF COMMISSIONER OF PATENTS AND TRADEMARKS

2087.00

Two Thousand Eighty Seventand no/100***

DOLLARS

1 SEAFIRST BANK

Fourth at Madison Branch 000109
P.O. Box 3586
Seattle, WA 98124

NON-NEGOTIABLE

⑈082127⑈ ⑆125000024⑆ 1245 216⑈

DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT, PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED

SEED AND BERRY L.L.P.
SEATTLE, WA 98104-7092

DATE	DESCRIPTION	AMOUNT
9/13/99	Docket No.: 880088.402 Applicant: John A. Xebala Assignee: Syntrix Biochip, Inc. App. No.: 09/322,815 FOR: POROUS COATINGS BEARING LIGAND ARRAYS AND USE THEREOF	
<u>RESPONSE TO NOTICE TO FILE MISSING PARTS</u>		
	Basic fee (small entity)	\$ 380
	Total Claims (162,142 extra)	1278
	Ind. Claims (9,6 extra)	234
	Mult. Dep. Surcharge	130
	Missing Parts Surcharge	65

ATK:jab

NON-NEGOTIABLE Total \$2,087.00

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

880088.402
ATK:jab

24P.

Date Stamp

SENT: September 13, 1999
DUE: September 13, 1999

Kindly acknowledge receipt of the below-listed documents by placing
your receiving stamp hereon and mailing:

Check; Response to Notice to File Missing Parts (+copy); Declaration and Power of
Attorney; Small Entity Statement; Copy of Form PTO 1533; General
Authorization; in re: John A. Zebala, USAN 09/322,815, filed June 14, 1999, for
POROUS COATINGS BEARING LIGAND ARRAYS AND USE THEREOF.
\\main\users\lanrk\880088.402\mp.pc.doc

SEED AND BERRY LLP

880088.402
ATK:jab

RAP

Date Stamp

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

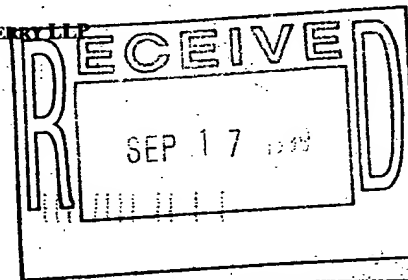
SENT: September 13, 1999
DUE: September 13, 1999

Kindly acknowledge receipt of the below-listed documents by placing
your receiving stamp hereon and mailing:

Check; Response to Notice to File Missing Parts (+copy); Declaration and Power of
Attorney; Small Entity Statement; Copy of Form PTO 1533; General
Authorization; in re: John A. Zebala, USAN 09/322,815, filed June 14, 1999, for
POROUS COATINGS BEARING LIGAND ARRAYS AND USE THEREOF.

\\main\users\annk\880088\402\mp.pc.doc

SEED AND BERRY LLP



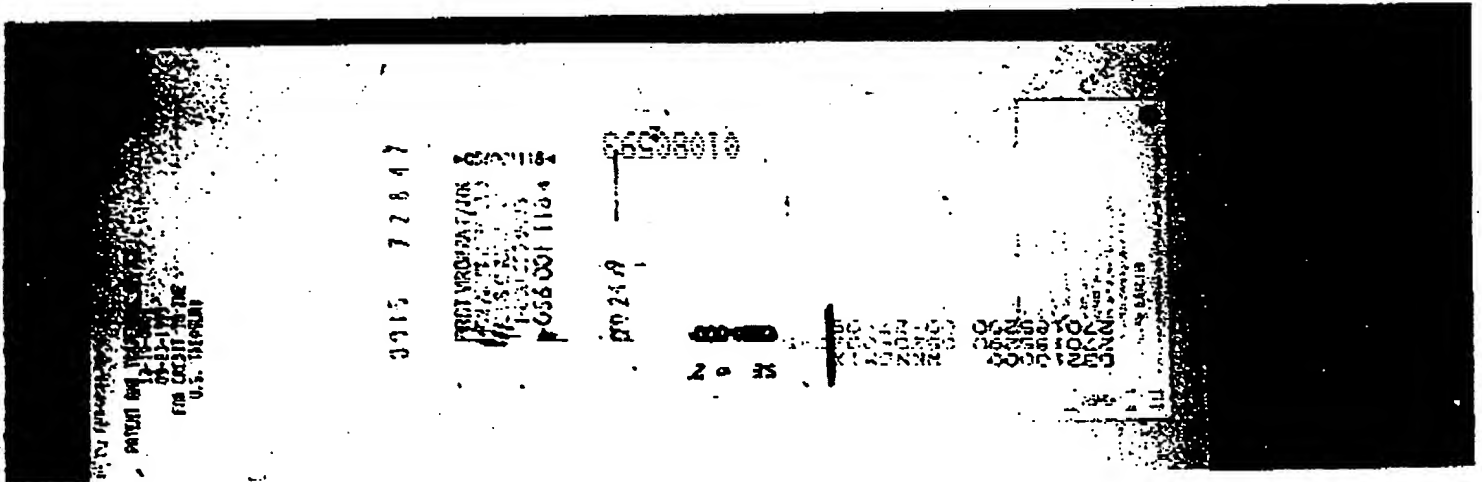
AUG 09 2001 10:29 FR BANK OF AMERICA

206 5858051 TO 96826031

P.01/01

SEED AND BERRY LLP.		Docket No. 950028.002	82127
206 422 4900 5000 COLUMBIA CENTER SEATTLE WA 98104-1000		DATE September 13, 1999	19Z1298
COMMISSIONER OF PATENTS AND TRADEMARKS			
PAY TO THE ORDER OF	S **2087.00**		
Two Thousand Eighty Seven and no/100***		DOLLARS	
SEAFIRST BANK			
082127 0000000000 0000 0000		0000 0087000	

01080593
E6508010



FAX TRANSMITTAL MEMO

of pages 1

To Carl	From Birgit
Co.	Co.
Dept.	Phone #
Fax #	Fax #